

ARBITRATOR GREGG LOWLL M^cCURDY

E-MAIL: GMcCurdy@Employment-ADR.com

WEB SITE: www.Employment-ADR.com

First Business Address:

2921 MacDonald Avenue
Richmond, California 94804
Phone: (510) 235-6300
Fax: (510) 235-6700

Second Business Address:

714 – 39th Avenue
Seattle, Washington
98122

PROFESSIONAL AFFILIATIONS:

Federal Mediation and Conciliation Service ! American Arbitration Association ! American Inns of Court ! Bar Association of San Francisco

EDUCATION:

B.A. University of Washington, 1970
J.D. University of San Francisco School of Law, 1993

CERTIFICATIONS & ARBITRATION ROSTERS:

Law: California (1994).

Arbitrator/Mediator: Federal Mediation & Conciliation Service (1980) ! American Arbitration Association (1980) ! Montana Board of Personnel Appeals (1978) ! California Mediation & Conciliation Service (1989) ! Oregon PERB (1989) ! Washington PERC (1989) ! various permanent panels

ARBITRATION EXPERIENCE:

1978 – Present: Labor Arbitrator for FMCS, AAA, state panels for Oregon, Montana, Washington, California, and several permanent panels.

1994 – Present: Attorney at Law, northern California civil practice specializing in employment issues for both plaintiff and defense (not involving union/management relations or issues).

Other: Director of Government Relations, Montana Association of County Commissioners (1975 – 1978) ! Founding President, Montana Arbitrator's Association (1978 – 1981) ! CEO, Data West, Inc., 1981 – 1987 ! Commercial fisherman, graduate school, Port Bellingham, Washington (1973 – 1975) ! President & EMT Capt., Avon Volunteer Fire Dept., Avon, Montana (1975 – 1983) ! PFC, U.S. Army (1967-1968).

INDUSTRIES ARBITRATED: [partial list]

Aerospace; airlines; agriculture; automotive; building products; chemicals; coal; communications; construction; Dept. of Defense (Army, Navy, Air Force), distribution centers; education; electrical equipment/appliances; electronics; Federal gov't agencies; food; health care; hotels/motels/casinos/resorts; hospitals/nursing homes; machinery; manufacturing; maritime/shipping; meat packing; metal fabrication; mining; newspapers; office workers/clerical; petroleum/petrochemicals; police and fire; printing and publishing; prison guards; public transit; refrigeration/HVAC; restaurants; retail stores; state, county and municipal agencies; transportation; trucking and storage; utilities; warehousing.

ISSUES ARBITRATED: [partial list]

Affirmative action, absenteeism, arbitrability, bargaining unit work, conduct (off duty/personal), demotion, discipline (discharge and non-discharge); discrimination (age, disability, race, sex, religion, national origin); drug and alcohol offenses; fringe benefits (bonus, holidays, insurance, leave, vacation); grievance mediation; health/hospitalization; hiring practices; job classification; job performance; job posting/bidding; jurisdictional disputes; layoffs/bumping/recall; management rights; official time; past practices; pension and welfare plans; pensions claims; promotion; retirement; safety/health conditions; seniority; sexual harassment; strikes, lockouts, work stoppages and slowdowns; subcontracting/contracting out; tenure/reappointment; third party contract rights; union security; wages and hours (including cost-of-living, holiday, incentive, classification rates, merit, overtime, severance and vacation pay); whistle blowing; work hours/schedules/assignments; working conditions/work orders; workplace violence and threats; and numerous wrongful termination claims.

PUBLISHED CASES: [partial list] (See website for more details and *Elkouri & Elkouri* citations to decisions)

121 LA 575, *First Student, Inc.* (AK 2005) ! 119 LA 926, *Newspaper Agency Corp.* (UT 2004) ! 109 LA 793, *American President Lines* (WA 1997) ! 109 LA 194, *Albertsons, Inc.* (WA 1997) ! 105 LA 62, *Globe Ticket & Label Co.* (WA 1995) ! 104 LA 666, *U.S. Army* (CA 1995) ! 103 LA 1198, *U.S.A.F. HQ Space & Missile Command* (CA 1994) ! 103 LA 705, *Greenteam of San Jose* (CA 1994) ! 102 LA 381, *Klauser Corp.* (WA 1994) ! 102 LA 1133, *County of Nye* (NV 1993) ! 101 LA 993, *Young's Commercial Transfer* (CA 1993) ! 100 LA 708, *U.S. Dept. of Defense* (CA 1993) ! 99 LA 551, *Montana State Hospital* (MT 1992) ! 91 LA 451, 16 LAIS 3100, *Hillhaven Corp.* (MT 1988) ! 89-1 ARB 8211, 16 LAIS 3811, *Wyola Elementary School District* (MT 1988) ! 91 LA 395, 16 LAIS 3029, *J.R. Simplot Company* (ID 1988) ! 88 LA 396, 14 LAIS 3726, *City of Great Falls* (MT 1986) ! 85-1 ARB 8070, *Amoco Oil Company* (WY 1984) ! 85 FLRR 2-1276 *U.S. General Services Administration* (UT/CO 1985) ! 82 ARB 8506, 9 LAIS 1288, *Safeway Stores, Inc.* (WA 1982) ! 78 LA 1313, 9 LAIS 2466, *Jewell Companies* (MT 1982) ! 9 LAIS 1177, *Midland Food Distributors, Inc.* (MT 1982) ! 88-2 ARB 8391, *Helena School District* (MT 1982) ! 76 LA 1197, 9 LAIS 5378, *Jewell Companies* (MT 1981)

BRIEFS: Post-hearing briefs are generally required by this arbitrator. Pre-hearing briefs are invited, but not required.

FEES: [Note: These "Home State" rates apply only to Montana cases when selected from the Montana BOPA or Arbitrators Association list. Please see the website for normal fees, rules and procedures for all other union and non-union employment arbitrations.]

Rates: \$1,200 per eight hour day. A hearing day is any portion of a day up to eight hours. All other time is billed at \$150 per hour.

Travel: Actual air fare and travel related expenses are charged from Seattle or Salt Lake City, whichever is closer. No hourly fee is charged for travel.

Cancellations: No charge if cancelled more than 15 calendar days prior to hearing date. A fee of one hearing day will be charged for cancellations made 8 to 15 calendar days before the hearing, and a fee of two hearing days (or the number of reserved days, if greater) will be charged for cancellations made 7 or fewer calendar days before the hearing.

Expenses: Actual & necessary expenses charged for transportation, food, lodging, and incidentals.